

Section by Section Summary of SB1/EN

Section 1. (Pages 1-2) Amends KRS 158.6451.

- States an additional capacity for students within the General Assembly's declaration of what students should be able to do. The addition is:

"Express their creative talents and interests in visual arts, music, drama and dramatic arts."

Section 2. (Pages 2-23) Amends KRS 158.6453 to revise the statewide assessment, program to be implemented during the 2011-2012 school year:

Definitions

- Adds definitions for accelerated learning, constructed response or performance based items, criterion-referenced test, end-of-course examination, formative assessment, interim assessments, national norm-referenced test, program audit, program review, summative assessment, and writing.

Revisions to Academic Content Standards

- Directs that within 30 days of the effective date of the Act that the Kentucky Department of Education (KDE) in collaboration with the Council on Postsecondary Education (CPE) plan and implement a comprehensive process for revising the academic content standards in all areas;
- Requires a graduated time table to be set by the KDE;
- Requires that the content standards:
 - Focus on critical knowledge and skill;
 - Result in fewer, but more in-depth standards to facilitate mastery learning;
 - Communicate expectations more clearly and concisely;
 - Be based on evidence-based research;
 - Consider international benchmarks; and
 - Ensure that the standards are aligned from elementary to postsecondary so that students can be successful at each education level;
- Requires the participation of practicing elementary and secondary teachers, postsecondary education content faculty, and others in the process of revising the standards;
- Requires consideration of national standards where available;
- Requires wide dissemination of the proposed standards for feedback;
- Requires the commissioner of education and the president of the Council on Postsecondary Education to ensure that the standards for the gateway areas of reading and mathematics are aligned with entry level course requirements;
- Requires review and recommendations from the CPE to assure alignment in the other areas;
- Requires distribution to schools and teacher preparation programs 30 days after they are approved by the state board;

- Requires revisions to all standards be completed by December 15, 2010 and distributed by January 15, 2011;
- Requires the Education Professional Standards Board (EPSB) and the CPE to coordinate information and training sessions for faculty and staff in all teacher preparation programs in the use of the revised standards;
- Requires the KDE to provide or facilitate training sessions for existing teachers and administrators on how to integrate the revised content standards and better integrate performance assessment;
- Requires the EPSB to require teacher preparation programs to instruct students in the use of the academic content standards in the pre-service programs and for interns to have practice in planning instruction for these; and
- Requires the CPE and EPSB to provide information sessions for postsecondary education faculty.

Revision to the annual statewide assessment program for implementation in 2011-2012

- Provides that writing portfolios shall be required as an instructional tool but removes the writing portfolio from being scored as part of the student assessment results and prohibits individual student scores from being included in the accountability system, starting with spring 2009 and thereafter;
- Provides that students not be tested in arts and humanities and practical living skills and career studies as part of the state assessments starting in the 2008-2009 school year and thereafter;
- Requires that beginning in 2011-2012 that the assessment program consist of annual student assessments and state and local program reviews and audits in writing, practical living skills and career studies and arts and humanities. Provides for formative and summative assessments;
- Reorganizes the existing section and selected subsections to clearly restate the purposes of the assessment system including;
 - The system shall provide valid and reliable data for individual students;
 - The system shall measure individual achievement in the academic core contents areas of language, reading, English, mathematics, science, and social studies at designated grades;
 - The system shall provide diagnostic information that identifies strengths and academic deficiencies of individual students in the content areas;
 - The system shall provide comparisons with national norms and where available, comparisons with other states for mathematics, reading, social studies, and science;
 - The system shall provide longitudinal profiles for students;
 - The system shall provide information to teachers that can enable them to improve instruction for current and future students;
 - Assessments shall provide valid and reliable scores for schools;
 - Ensure compliance with the federal NCLB Act; and
 - Ensure school accountability.

The revised assessment program to be implemented in 2011-2012 shall include:

- A criterion-referenced test, augmented with a customized or commercially available norm-referenced test that measures core content in the areas of reading, language, and mathematics, in grades 3 through 8;
 - A criterion-referenced test, augmented with a customized or commercially available norm-referenced test in science and social studies to be administered 1 time within the elementary grades and the middle grades, respectively;
 - An on-demand assessment of student writing to be administered one (1) time during the elementary grades, two (2) times during the middle grades and two (2) times during the high school grades;
 - An editing and mechanics test relating to writing, using multiple choice and constructed response items to be administered one (1) time within the elementary grades, the middle grades, and the high school grades, respectively;
 - A criterion-referenced test in mathematics, reading, and science that measures Kentucky's academic content standards that are not covered by the ACT;
 - A criterion-referenced test, augmented with a customized or commercially available norm-referenced test in social studies to be administered 1 time within the high school grades;
 - A high school readiness examination to assess English, reading, mathematics, and science in grade 8 but with the option for the state board to move it to grade 9;
 - A college readiness exam to assess English, reading, mathematics, and science in grade 10;
 - The ACT college admissions and placement examination in grade 11;
 - A technically sound longitudinal comparison of the assessment results for the same students; and
 - Other components necessary to comply with NCLB.
- Permits the KBE to use end-of-course assessments in the assessment program in lieu of criterion-referenced tests;
 - Encourages school districts to use additional diagnostic assessments and prompts in addition to the required college readiness exam currently required if they deem it appropriate and necessary to develop and implement accelerated learning plans;
 - Provides that beginning with the 2010-2011 school year, each school that enrolls primary students shall use diagnostic assessments and prompts that measure readiness in reading and mathematics for P-2 students. Permits the use of commercial products or locally produced products and procedures; and

- Requires the KDE to conduct periodic alignment studies to compare the norm-referenced tests with the standards in the different content areas to determine how well the norm-referenced tests align and adequately assess the depth of knowledge and required mastery of the academic competencies for Kentucky students. Permits the board to decrease the number of required criterion-referenced items required.

Program Assessments (Writing, Practical Living Skills and Career Studies, Arts and Humanities)

- In each case, the KDE shall provide guidelines for effective programming, guides and procedures for the program reviews. In the case of writing, writing portfolios are required to be collection of students' work samples, but the school-based decision making council determines the writing program and adopts policies as specified in the legislation/
- During the transition period between the effective date of this Act and the implementation of the new assessment system, the Kentucky Department of Education shall plan and implement an interim system for program reviews.
- Beginning in 2011-2012, the system for program reviews and audits in the arts, humanities, practical living, and vocational studies and writing shall be fully implemented. Includes annual local reviews and reviews by KDE of all programs within every 2 year period. Frequency of audits will be based on findings from program reviews. (Requires an interim program assessment process-see Sections 18 and 19).

Other components in this section

- Changes the testing window to the last 14 days of a school district's academic calendar and limits testing to 5 days; requires the state board to promulgate administrative regulations for test procedures including makeup testing;
- Requires reporting of assessment results, beginning in the fall of 2012 to be no later than seventy-five (75) days following the first day the assessment can be administered;
- Requires that no later than sixty (60) days after the effective date of this Act that the state board revise the Administration Code for Kentucky's Assessment Program to include prohibitions of inappropriate test preparation by school district employees charged with test administration and oversight, including but not limited to the issue of teachers being required to do test practice in lieu of regular classroom instruction and test practice outside the normal work day. The revisions shall include disciplinary sanctions that may be taken toward a school or individuals;
- Provides that school districts may purchase and use interim commercial interim assessments or formative assessments or locally develop and use formative assessments;
- Requires accelerated learning for any student whose scores on any of the assessments indicated skill deficiency or strengths;
- Requires counseling for students who score high on college readiness to enroll in accelerated course.;

- Requires alignment of core content at all levels, including the alignment of high school academic core content with the expectations for postsecondary education study; and
- Requires an individual report to parents on the achievement of their children compared to school, state, and national results, including information that identifies strengths and academic deficiencies.

Section 3. (Pages 23 to 24) Amends KRS 158.6452 relating to the School, Curriculum, Assessment, and Accountability Council.

- Requires that the council make recommendations concerning Kentucky's system for identifying academic skills and deficiencies of individual students.

Section 4. (Pages 24 to 30) Amends KRS 158.6455 relating to the statewide accountability system.

- Deletes language relating to rewards; deletes reference to CATS;
- Requires that the Kentucky Board of Education determine how the results of the revised assessments that are administered in the 2011-2012 and 2012-2013 school years shall be used in classifying schools;
- Requires the Kentucky Board of Education to revise the accountability system using the new assessments. The accountability system shall include the use of program assessment results, students' academic performance, school improvement results, and other factors deemed appropriate by the board; and
- Deletes prescriptive detail regarding accountability in order to give the state board flexibility in determining the new accountability system.

Section 5. (Pages 30-31) Amends KRS 158.6458.

- Directs the Department of Education to maintain and strengthen program reviews.

Section 6. (Pages 31 to 32) Amends KRS 158.6459.

- Makes technical internal reference change.

Section 7. (Pages 32 to 35) Amends KRS 158.649.

- Beginning with the 2012-2013 school year, requires reporting of student performance data to local schools no later than seventy-five (75) days from the first day the assessment may be administered instead of November 1;
- Beginning with the 2012-2013 school year, requires school councils to develop biennial targets for eliminating achievement gaps by October 1 each year; and
- Beginning with the 2012-2013 school year, requires review of data and revisions to consolidated plans by October 1 of each year.

Section 8. (Pages 35 to 40) Amends KRS 156.095.

- Makes conforming changes; deletes obsolete language relating to discarded practices; and
- Adds assessment literacy, differentiated instruction and integration of performance-based student assessment into daily classroom instruction as areas of professional development.

Section 9. (Pages 40 to 42) Amends KRS 158.816.

- Changes "Commonwealth Assessment and Accountability Testing System" to "state assessment".

Sections 10, 11, & 12, (Pages 42 to 57)

- Amends KRS 159.035, 158.805, 160.345 to conform.

Section 13. (Pages 57 to 65) Amends KRS 164.020.

- Adds a responsibility to the Council on Postsecondary for participating with the KDE, KBE, and the postsecondary education institutions in the alignment of high school academic content standards with the academic content requirements for successful entry into postsecondary education; and
- Adds training responsibility.

Section 14. (Pages 65 to 69)

- Amends KRS 164.7874 to make conforming amendments.

Section 15. (Page 69) Creates a new section of KRS Chapter 164.

- Requires that within 30 days from the effective date of the Act, each postsecondary education institution shall plan and implement a process to develop core academic content standards for reading and mathematics for introductory courses in the public postsecondary education institutions; and
- Requires that all core academic standards for mathematics and reading in introductory courses shall be completed by December 15, 2010 with a target completion date of December 15, 2009 for the mathematics standards.

Noncodified Sections

Section 16 (Page 70)

- Describes the removal of the writing portfolio from the accountability index for 2008-2009, 2009-2010 and the 2010-2011 school years and what is required during the transition period;
- Requires school-based decision making courses to determine the writing program for the school; and
- Requires the KDE to provide guidelines and program review requirements.

Section 17. (Pages 70-71)

- Requires that the Education Professional Standards Board and the Kentucky Department of Education take actions during the 2009 and 2010 calendar years to improve teachers' ability to teach writing; and
- Describes responsibilities for review of teacher preparation requirements and professional development opportunities and training for school administrators.

Section 18. (Pages 71-73)

- Sets forth the conditions during the transition period from the existing assessment and accountability system;
- Suspends the calculation of a state accountability index for 2008-2009, 2009-2010, and 2010-2011;
- Requires all necessary assessments and reporting be continued in order to comply with NCLB;
- Requires the Kentucky Department of Education to develop and implement an interim program assessment process for writing, practical living skills and career studies and arts and humanities; and
- Permits the use of test items based on the revised mathematics academic content standards to be field tested in 2009-2010 testing cycle and to administer an initial mathematics test based on the revised standards during the 2010-2011 school year.

Section 19. (Pages 73-74)

- Sets forth the interim testing program for the 2008-2009 through the 2010-2011 school years which shall include the current Kentucky criterion-referenced test, excluding tests for arts and humanities, practical living skills and career studies, and writing portfolios;
- Requires that during the 2009-2010 and the 2010-2011 academic years, in addition to the Kentucky criterion-referenced test, there shall be a new stand-alone norm-referenced test in reading and mathematics in grades 3 through 7;
- Requires the testing window for the criterion-referenced test be no more than 7 days in 2008-2009 and no more than 6 days during the 2009-2010 and 2010-2011 school years with additional make-up days as determined by the state board;
- Requires the Department of Education to provide each district with a test booklet and scoring sheets during the 2008-2009 school year for arts and humanities, practical living skills and career studies that may be used by the local district for a local formative or summative evaluation;
- Requires that during the 2009-2010 and the 2010-2011 academic years, the new stand-alone norm-referenced test in reading and mathematics in grades 3 through 7 be given during the 1 week before or the 1 week after the established testing window; and

Section 20. (Page 74)

- Requires the KDE and KBE to facilitate an extensive review of how exceptional children's needs are being met through the student assessment process and how student assessment requirements for exceptional children potentially hamper or enhance intellectual and emotional growth of individual students. The agencies shall assess how current assessment procedures for exceptional children and the reporting requirements affect school performance classifications and if changes are needed.

Section 21. (Pages 74-75)

- Directs the CPE, KBE, and KDE to develop a unified strategy by May 15, 2010, to reduce college remediation rates by at least 50% by 2014 from the 2010 rates and increase the college completion rates of students enrolled in one (1) or more remedial classes by three percent (3%) annually from 2009-2014;
- In developing the plan, the agencies shall determine whether current requirements for assessing college readiness at the high school level are providing needed information and whether additional diagnostic assessment, particularly in mathematics, are needed; and
- Requires annual reporting.

Section 22. (Page 75)

- Directs the KDE to communicate to schools and school districts that decisions about mathematics textbook purchases may be delayed the revised mathematics content standards are revised and that the department allow off-list purchases in order to ensure that textbooks selected align with the revised standards.

Section 23. (Page 76)

- Declares an emergency.